

REMARKS

Claims 1, 11, and 20 are amended herein. The claims have been amended to recite non-catalytic compounds. Such compounds are supported throughout the specification, *e.g.*, at least at page 14, lines 3-16, and the Examples. Claims 1 and 11 are also amended herein to include the limitations of previous claims 21 and 22.

Claims 21 and 22 are amended to further limit amended claims 1 and 11, respectively. Moreover, new claims 23 to 27 further limit the claims from which they depend by more specifically reciting nucleotides as set forth in SEQ ID NO:3. Support for the amendments and new claims can be found throughout the specification, *e.g.*, at least at pages 9, 90, and 91.

The amendments include no new matter.

The Outstanding Rejections

35 U.S.C. § 112, First Paragraph

Claims 1-2, 4-14 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Applicant respectfully traverses the rejection. Indication that Applicant was in possession of the claimed invention can be found at least at page 9, lines 24-30, and Table 1 on pages 90-91. However, in order to expedite prosecution, Applicant have amended independent claims 1 and 11 to include the limitations of dependent claims 21 and 22, claims that were held to satisfy the written description requirement by the Examiner. These amendments render the rejection moot. Applicant reserves the right to pursue the subject matter previously presented in claims 1-2, and 4-14 in subsequent related applications.

35 U.S.C. § 102(a)

Claims 1, 6, 11-12, and 20-23 stand rejected as allegedly anticipated by Chan *et al.* (WO 01/12789 A2). The currently pending claims are directed to non-catalytic compounds. Such compounds are not disclosed by Chan *et al.* which is asserted to provide a ribozyme directed to human ApoB100 sequence. Because a ribozyme is not a non-catalytic compound, the currently pending claims do not read upon a ribozyme of Chan *et al.* Reconsideration of the patentability of claims 1, 6, 11-12, and 20-23 is respectfully requested.

Application No.: 09/920,033

Tang et al.

With its Response of May 14, 2003, Applicant included as an Appendix a Chinese article by Tang *et al.* corresponding to an abstract cited against the pending claims. Applicant submits herewith in an SIDS an English translation of the article. As previously stated regarding the Tang *et al.* abstract and Chinese article, the presently pending claims are novel and nonobvious over the Tang *et al.* translation.

Applicant respectfully requests issuance of a timely Notice of Allowance. The Examiner is invited to contact the undersigned with any comments or suggestions that might expedite the issuance of the application.

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Respectfully submitted,

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